THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20755 OF 2005

DATED:22.9.2005

Between:

Sri Sai Ram Timber Depot & Saw Mill

…Petitioner

And

The Divisional Forest Officer,

Hyderabad Division, R.R.Dist.,

M.J.Market X Road, Hyderabad

…Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20755 OF 2005

ORDER:

The petitioner obtained licence under A.P. Saw Mills (Regulations) Rules, 1969. The respondent herein by impugned notice called upon the petitioner to show cause as to why the licence issued to petitioner on 20.6.2005 should not be cancelled in view of the orders of the Supreme Court in W.P.No.202 of 1995. Assailing the same, present Writ Petition is filed.

It is now axiomatic that ordinarily a Writ Petition against show cause notice is not maintainable. Even if such a notice is challenged on the ground that notice issuing authority has no such power or jurisdiction, as held by the Supreme Court in **Special Director v. Mohd. Ghulam Ghouse** even such questions can be raised before the

authority issuing show cause notice. In that view of the matter, the Writ Petition is liable to be dismissed. However, three weeks time from today is granted to petitioner to file explanation to the show cause notice. If the respondent has not cancelled the licence, the explanation submitted by the petitioner now, may be considered.

The Writ Petition with the above observations is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

22.9.2005

bnr